

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay. There is no art rejection on claims 3, 6, 7, 9, 10, 15, 18, 19, 20, and 22 - 24

The specification has been amended to eliminate some minor obvious errors. In addition the claims have been heavily edited so that they comply with US practice and obviate the §112 rejection. No new matter whatsoever has been added.

The instant invention is a pasta cooker having a basket 5 that can be moved between a lower position in a bowl 3 and an upper position above this bowl 3. The basket can be moved between these positions under control of an automatic timer 9 and has a floor provided with a rotatable stirring element 11 having an upstanding paddle 11a. In the simplest embodiment, starting with the basket in the upper position, the user fills the bowl 3 with water, puts some uncooked pasta (or other foodstuff) into the basket 5, and starts the timer 9 for a predetermined cooking time, e.g. 8 minutes, that the pasta should be boiled.

The controller takes over and energizes the electrical heater 4 while monitoring the temperature of the water in the bowl 3 with a sensor 7. When it detects that the water is about boiling, the controller actuates a drive means 6 to lower the basket 5 into the bowl 3, thereby immersing the uncooked foodstuff

in the boiling water in the bowl 3. This engages the stirring element 11 with a coupling 12 of another drive motor 13 in the base 2 of the device.

Before the preset time elapses, but not necessarily immediately after the basket 5 is set in the bowl (so that the uncooked foodstuff has some time to soften) the controller starts the motor for the stirring element 11 and its paddle 11a stirs the water and cooking foodstuff, thereby preventing the foodstuff from sticking together.

When the preset time interval has elapsed, the drive means 6 is reversed to raise the basket 5 out of the bowl 3, and the heater 4 is shut off.

During the cooking the controller monitors water temperature and shuts off the electrical heater whenever the temperature either reaches a predetermined temperature, presumably one somewhat above the boiling temperature of water, or there is no further change in the monitored bowl temperature, indicating that the water is boiling.

It is also possible for the timer to permit the user to enter a later time in the at which the unit is to operate. In this case the controller is able to monitor the rate of temperature change and easily calculate when the water will be boiling, so that it can control water heating so that the cooking process ends at the desired time.

This amendment places a new main method claim 29 in this case conforming to original claim 21, which was rejected on art, and claim 22, which depended from claim 21 and was not rejected on art. Thus this claim defines the method where the stirring is initiated automatically after fitting the basket to the bowl, which only occurs after the water is boiling.

Nothing whatsoever in US patent 4,951,558 of Figliuzzi suggests such a method. There the basket can indeed be raised and lowered, but not when the machine is set for stirring with the device of FIGS. 11 and 12. For this reason new method claim 29 and dependent method claims 30 and 31 are allowable.

Similarly the subject matter of claim 1, which was rejected on art, and claim 3, which was not rejected on art, has been combined in new independent claim 26 and claims 4-9 13, 15-20 have been amended to depend from this new claim 26. These claims, which recite the stirring/heating combination, are therefore also allowable.

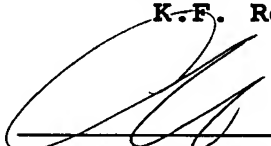
The subject matter of claim 1, which was rejected on art, has been inserted into claim 10, which was not rejected on art, so that this claim and claims 11 and 23 dependent on it are also allowable.

The overall number of claims has not been increased and there are still less than four independent claims in the case (10, 26, and 29) so that no extra-claim fee is entailed.

The claims are therefore all allowable. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,  
K.F. Ross P.C.

  
by: Andrew Wilford, 26,597  
Attorney for Applicant

02 November 2007  
5683 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: 718 884-6600  
Fax: 718 601-1099  
Email: [email@kfrpc.com](mailto:email@kfrpc.com)

Enclosure:      Corrected version  
                    Substitute Specification  
                    Substitute Abstract